

REMARKS

Claims 1 to 22 have been previously canceled.

Method claims 23 and 25 have been amended.

Claims 23 to 27 remain in the application. Claim 23 is the sole independent claim.

The claims stand rejected under 35 U.S.C. §102(b) as being anticipated by Scholten et al. US 4,969,888 (Scholten). Claim 23 has been amended to more particularly distinguish over Scholten. Scholten does not teach or suggest a method, as defined in amended claim 23, that (i) selects for treatment a bone that includes a fractured exterior cortical bone region defined between facing exterior cortical bone surfaces that have collapsed upon themselves to displace away from a desired anatomic orientation an unfractured exterior cortical bone region remote from the fractured exterior cortical bone region, and (ii) enlarges an expandable body into an enlarged condition between the facing exterior cortical bone surfaces of the fractured exterior cortical bone region to lift the collapsed facing exterior cortical bone surfaces in the fractured exterior cortical bone region apart to move the unfractured exterior cortical bone region toward the desired anatomic orientation. Scholten places an expandable body within an interior bone region (i.e., cancellous bone) between facing interior cortical bone surfaces. Scholten does not teach or suggest placing an expandable body between facing exterior cortical bone surfaces. Furthermore, Scholten restores the anatomy of fractured cortical bone regions. Scholten does not teach or suggest the restoration of the anatomy of an unfractured exterior cortical bone region remote from a fractured cortical bone region.

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Reconsideration in view of the foregoing amendments and remarks and allowance of claims
23 to 27 are respectfully requested.

Respectfully Submitted,

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